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7  
8 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. *2013-560*

11 **CYRUS NEAL WALKER**

12 16 Walcott Green  
13 S. Windsor, CT 06074

14 Registered Nurse License No. 253308

15 Respondent.

**A C C U S A T I O N**

16  
17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her  
20 official capacity as the Executive Officer of the Board of Registered Nursing, Department of  
21 Consumer Affairs.

22 2. On or about May 31, 1975, the Board of Registered Nursing issued Registered Nurse  
23 License Number 253308 to Cyrus Neal Walker ("Respondent"). The Registered Nurse License  
24 was in full force and effect at all times relevant to the charges brought herein and will expire on  
25 August 31, 2014, unless renewed.

26 **JURISDICTION AND STATUTORY PROVISIONS**

27 3. This Accusation is brought before the Board of Registered Nursing ("Board"),  
28 Department of Consumer Affairs, under the authority of the following laws. All section

1 references are to the Business and Professions Code ("Code") unless otherwise indicated.

2 4. Section 2750 of the Code provides, in pertinent part, that the Board may discipline  
3 any licensee, including a licensee holding a temporary or an inactive license, for any reason  
4 provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

5 5. Section 2761 of the Code states:

6 "The board may take disciplinary action against a certified or licensed  
7 nurse or deny an application for a certificate or license for any of the following:

8 (a) Unprofessional conduct, which includes, but is not limited to, the  
9 following:

10 ...

11 (4) Denial of licensure, revocation, suspension, restriction, or any other  
12 disciplinary action against a health care professional license or certificate by another  
13 state or territory of the United States, by any other government agency, or by another  
14 California health care professional licensing board. A certified copy of the decision  
15 or judgment shall be conclusive evidence of that action.

16 ...

17 (d) Violating or attempting to violate, directly or indirectly, or assisting  
18 in or abetting the violating of, or conspiring to violate any provision or term of this  
19 chapter [the Nursing Practice Act] or regulations adopted pursuant to it."

#### 20 **COST RECOVERY**

21 6. Section 125.3 of the Code provides, in pertinent part, that the Board may request the  
22 administrative law judge to direct a licentiate found to have committed a violation or violations of  
23 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
24 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being  
25 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be  
26 included in a stipulated settlement.

#### 27 **FIRST CAUSE FOR DISCIPLINE**

##### 28 **(Disciplinary Action by the State of Connecticut Board of Examiners for Nursing)**

7. Respondent is subject to disciplinary action under section 2761, subdivision (a)(4) of  
the Code in that Respondent was disciplined by the Connecticut Board of Examiners for Nursing  
("Connecticut Board"), as follows:

1           8.     On or about April 7, 2004, the Connecticut Board issued a Memorandum of Decision,  
2 placing Respondent's license on probation for a period of 1 year, with terms and conditions in the  
3 disciplinary matter entitled *Department of Public Health v. Cyrus Walker, RN, Lic. No. R54641,*  
4 *Petition No. 2003-0211-010-017.* The circumstances underlying the disciplinary action by the  
5 Connecticut Board are that on or about November 17, 2003, while working for a nursing pool,  
6 Respondent was assigned to work as a registered nurse at Jefferson House in Newington,  
7 Connecticut. On or about November 17, 2003, Respondent committed medication errors when he  
8 confused two patients for an entire shift. Respondent administered multiple doses of Oxycodone  
9 to a patient who was prescribed Dilaudid (Hydromorphone), and administered Dilaudid  
10 (Hydromorphone) to a patient who was prescribed Oxycodone.

11                                   **SECOND CAUSE FOR DISCIPLINE**

12                                   **(Unprofessional Conduct)**

13           9.     Respondent is subject to disciplinary action under section 2761, subdivision (a) of the  
14 Code on the grounds of unprofessional conduct in that on or about November 17, 2003,  
15 Respondent confused two patients for an entire shift and gave the wrong medications. The  
16 conduct is described in more particularity in paragraph 8 above, inclusive and hereby  
17 incorporated by reference.

18                                   **THIRD CAUSE FOR DISCIPLINE**

19                                   **(Violations of Nursing Practice Act)**

20           10.    Respondent is subject to disciplinary action under section 2761, subdivision (d) of the  
21 Code in that Respondent violated provisions of the Nursing Practice Act. The violations are  
22 described in more particularity in paragraphs 7 through 9 above, inclusive and hereby  
23 incorporated by reference.

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1 **PRAYER**


2 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
3 and that following the hearing, the Board of Registered Nursing issue a decision:

4 1. Revoking or suspending Registered Nurse License Number 253308, issued to Cyrus  
5 Neal Walker;

6 2. Ordering Cyrus Neal Walker to pay the Board of Registered Nursing the reasonable  
7 costs of the investigation and enforcement of this case, pursuant to Business and Professions  
8 Code section 125.3;

9 3. Taking such other and further action as deemed necessary and proper.

10  
11 DATED: JANUARY 18, 2013

  
LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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